

APR 05 2004

PES-0048

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

APPLICANT: Mark E. Dristy, et al.)
SERIAL NO.: 09/965,675) Group Art Unit: 1745
FILED: September 27, 2001)
FOR: APPARATUS AND METHOD FOR) Before the Examiner:
MAINTAINING COMPRESSION) M. Ruthkosky
OF THE ACTIVE AREA IN AN)
ELECTROCHEMICAL CELL)

Via Facsimile (703) 872-9306
Commissioner for Patents
Alexandria, VA 22313

RESPONSE TO RESTRICTION REQUIREMENT
PURSUANT TO 35 U.S.C. §121

Sir:

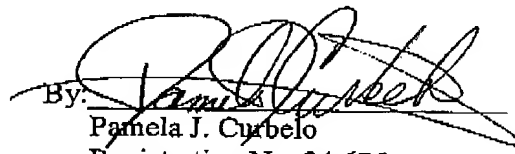
This is in response to the Restriction Requirement dated March 10, 2004. The Examiner contends that: Group I, Claims 1-12, drawn to an electrochemical cell, classified in Class 429, subclass 37; Group II, Claims 12-25, 41, and 42, drawn to a pressure pad, classified in Class 267, subclass 110; Group III, Claims 26-27, drawn to a method of maintaining compression within an electrochemical cell, classified in Class 429, subclass 66; and Group IV, Claims 28-40, drawn to a method of forming a pressure pad, classified in Class 267, subclass 110. Pursuant to MPEP §§806.04, 806.05(c), 806.05(d), 808.01, and 35 U.S.C. §121 the Examiner requires restriction between Groups I, II, III and IV.

Accordingly, pursuant to 35 U.S.C. §121, Applicants hereby elect to prosecute Group I, with traverse. This election is being made without prejudice to Applicants' rights with respect to Claims 13-42, Groups II, III, and IV, including the right to file divisional application(s) thereon.

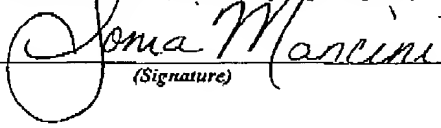
If there are any charges with respect to this Restriction Requirement, or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. PES-0048
Applicant(s): Mark E. Dristy, et al.			
Serial No. 09/965,675	Filing Date September 27, 2001	Examiner M. Ruthkosky	Group Art Unit 1745
Invention: APPARATUS AND MEDTHOD FOR MAINTAINING COMPRESSION OF THE ACTIVE AREA IN AN ELECTROCHEMICAL CELL			
<p style="text-align: right;">RECEIVED CENTRAL FAX CENTER APR 05 2004 OFFICIAL</p> <p>I hereby certify that this <u>Response to Restriction Requirement (2 pages)</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u>) on <u>April 5, 2004</u> (Date)</p> <p style="text-align: center;"><u>Sonia Mancini</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			